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10/003,186	10/29/2001	Damon John Ennis	402	4116

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EXAMINER
PHAM, KHANH B

ART UNIT	PAPER NUMBER
2167	

DATE MAILED: 06/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

Status

1)☒ Responsive to communication(s) filed on <u>25 April 2005</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-48* is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-48* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a)☐ All   b)☐ Some * c)☐ None of:

   1.☐ Certified copies of the priority documents have been received.

   2.☐ Certified copies of the priority documents have been received in Application No. _____.

   3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
   application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1.   A request for continued examination under 37 CFR 1.114, including the fee set

forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this

application is eligible for continued examination under 37 CFR 1.114, and the fee set

forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action

has been withdrawn pursuant to 37 CFR 1.114.

2.   Applicant's submission filed on April 25, 2005 has been entered. Claims 1, 9, 17,

33, 41 have been amended. Claims 1-48 are pending in this Office Action.

Claim Rejections - 35 USC § 102

3.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4.   **Claims 1-48 are rejected under 35 U.S.C. 102(b)** as being anticipated by

Bracho et al. (US 5,974,417 A), hereinafter "Bracho".

As per claims 1, 17, 33, Bracho teaches a method, an apparatus and computer

readable medium for facilitating publish/subscribe communication within a network

switch (See Fig. 1), comprising:

- "receiving a subscription request by a communication coordinator within one of a plurality of line modules to receive publications made to one or more event names" at Col. 4 line 64 to Col. 5 line 4, Col. 10 lines 1-34 and Fig. 5;

- "said subscription request comprising an event expression that includes a namespace that can be correlated to a plurality of different event names" at Col. 10 line 65 to Col. 11 line 25 and Col. 15 lines 40-62;

- "accessing within a control module connected to said plurality of line modules a set of information pertaining to a publisher, said information comprising a particular event name to which said publisher publishes" at Col. 5 lines 5-25, Col. 10 lines 1-34 and Fig. 5;

- "and resolving said event expression within said control module to determine whether said particular event name constitutes a match for said event expression" at Col. 5 lines 5-25 ,

- "thereby determining whether said subscription request is a request to receive one or more publications made to said particular event name" at Col. 2 lines 24-31.

As per claims 2, 18, 34, Bracho teaches the method, apparatus and computer readable medium of claims 1, 17, 33 as discussed above, wherein "said event expression comprises one or more wildcard indicators" at Col. 9 lines 5-25.

As per claims 3, 19, 35, Bracho teaches the method, apparatus and computer readable medium of claims 2, 18, 34 as discussed above, wherein "resolving said event

expression comprises: performing pattern matching between said event expression and said particular event name" at Col. 11 lines 3-25.

As per claims 4, 20, 36, Bracho teaches the method, apparatus and computer readable medium of claims 1, 17, 33 as discussed above, wherein "said namespace is a hierarchical namespace" at Col. 15 lines 40-62.

As per claims 5, 21, 37, Bracho teaches the method, an apparatus and computer readable medium of claims 4, 20, 36 as discussed above, wherein "said hierarchical namespace comprises one or more wildcard indicators in one or more hierarchical levels of said hierarchical namespace" at Col. 9 lines 1-55.

As per claims 6, 22, 38, Bracho teaches the method, apparatus and computer readable medium of claims 1, 17, 33 as discussed above. Bracho further teaches:

- "said subscription request comprises a set of information pertaining to a subscriber" at Col. 8 lines 17-30;

- "and wherein said method further comprises: in response to a determination that said particular event name constitutes a match for said event expression, providing said set of information pertaining to said subscriber to a communication coordinator associated with said publisher" at Col. 8 lines 30-50.

- "said communication coordinator being one of a plurality of communication coordinators provided on each of said plurality of line modules within said switch" at Col. 8 lines 30-50.

As per claims 7, 23, 39, Bracho teaches the method, apparatus and computer readable medium of claims 6, 22, 38 as discussed above. Bracho further teaches:

- "accessing a set of information pertaining to a second publisher, said set of information pertaining to said second publisher comprising a second particular event name to which said second publisher publishes" at Col. 6 lines 55-67;

- "resolving said event expression to determine whether said second particular event name constitutes a match for said event expression, thereby determining whether said subscription request is a request to receive one or more publications made to said second particular event name" at Col. 14 lines 50-67;

- "and in response to a determination that said second particular event name constitutes a match for said event expression, providing said set of information pertaining to said subscriber to a second communication coordinator associated with said second publisher" at Col. 14 lines 50-67.

As per claims 8, 24, 40, Bracho teaches the method, apparatus and computer readable medium of claims 7, 23, 39 as discussed above, wherein "said first particular event name and said second particular event name are different event names" at Col. 14 lines 50-67.

As per claims 9, 25, 41, Bracho teaches a method, an apparatus and computer readable medium for facilitating publish/subscribe communication within a network switch (See Fig. 1), comprising:

- "receiving by a communication coordinator within one of a plurality of line modules a publication announcement indicating a desire to publish to a particular event name" at Col. 6 lines 55-67;

- "accessing within a control module connected to said plurality of line modules a set of information pertaining to a subscriber, said information comprising an event expression which may be resolved to match a plurality of different event names" at Col. 11 lines 1-25; and

- "resolving said event expression within said control module to determine whether said particular event name constitutes a match for said event expression, thereby determining whether said subscriber should receive one or more publications made to said particular event name" at Col. 14 lines 50-67.

As per claims 10, 26, 42, Bracho teaches the method, apparatus and computer readable medium of claims 9, 25, 41 as discussed above, wherein "said event expression comprises one or more wildcard indicators" at Col. 9 lines 1-55.

As per claims 11, 27, 43, Bracho teaches the method, apparatus and computer readable medium of claims 10, 26, 42 as discussed above, wherein "resolving said event expression comprises: performing pattern matching between said event expression and said particular event name" at Col. 11 lines 17-25.

As per claims 12, 28, 44, Bracho teaches the method, apparatus and computer readable medium of claims 9, 25, 41 as discussed above, wherein "said event expression comprises a hierarchical namespace" at Col. 15 lines 40-62.

As per claims 13, 29, 45, Bracho teaches the method, apparatus and computer readable medium of claims 12, 28, 44 as discussed above, wherein "said hierarchical namespace comprises one or more wildcard indicators in one or more hierarchical levels of said hierarchical namespace" at Col. 15 lines 40-62 and Col. 9 lines 1-55.

As per claims 14, 30, 46, Bracho teaches the method, apparatus and computer readable medium of claims 9, 25, 41 as discussed above, further comprising: "in response to a determination that said particular event name constitutes a match for said event expression, providing said set of information pertaining to said subscriber to a sender of said publication announcement" at Col. 15 lines 8-39.

As per claims 15, 31, 47, Bracho teaches the method, apparatus and computer readable medium of claims 14, 30, 46 as discussed above, further comprising:

- "receiving a second publication announcement indicating a desire to publish to a second particular event name" at Col. 7 lines 45-67;

- "accessing said set of information pertaining to said subscriber; resolving said event expression to determine whether said second particular event name constitutes a match for said event expression, thereby determining whether said subscriber should receive one or more publications made to said second particular event name" at Col. 10 lines 20-35 and Col. 11 lines 17-25;

- "and in response to a determination that said second particular event name constitutes a match for said event expression, providing said set of information pertaining to said subscriber to a sender of said second publication announcement" at Col. 8 lines 17-30.

As per claims 16, 32, 48, Bracho teaches the method, apparatus and computer readable medium of claims 15, 31, 47 as discussed above, wherein "said first particular event name and said second particular event name are different event names" at Col. 5 lines 10-20.

Response to Arguments

5.   Applicant's arguments filed April 25, 2005 have been fully considered but they

are not persuasive. The examiner respectfully traverses applicant's arguments.

Applicant argued that Bracho does not teach or suggest both "control module"

and "communication coordinator" because Bracho only teaches the hub 106 performs

all claimed steps. On the contrary, the examiner respectfully submits that all

components recited in applicant's claims are resided within a network switch, which

corresponds to Bracho's hub. Bracho also teaches the detail structure of the hub at Fig.

5, which includes input/output queue 502, 504 for receiving and queuing events, client

manager 510 deals with registering, un-registering clients, event manger 512 for

managing events, remote administration 520 for performing system administration task,

pro-processor 514 for adding envelope information to an event, match block 518 adds

routing information to events and filters events. (Col.10, lines 1-34). Therefore, each

step of the claims are performed by different components resides with the hub, similar

to applicant's modules resided within the switch. Bracho's hub is capable of performing

dual functions because each function is handled by different components within the hub.

Further, Applicant's specification at pages 1-2 provides that "in a typical switch, there

are a plurality of line modules, control modules, timing modules and switching modules".

These modules therefore exist in prior art network switches and are not patentable

features.

Conclusion

6.   The prior art made of record, listed on form PTO-892, and not relied upon, if any,

is considered pertinent to applicant's disclosure.

If a reference indicated as being mailed on PTO-FORM 892 has not been

enclosed in this action, please contact Lisa Craney whose telephone number is **(571)**

272-3574 for faster service.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Khanh B. Pham whose telephone number is (571) 272-

4116. The examiner can normally be reached on Monday through Friday 7:30am to

4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, John E. Breene can be reached on (571) 272-4107. The fax phone number

for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the

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Khanh B. Pham
Examiner
Art Unit 2167

June 7, 2005